

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NUMBER 1:15CV713**

JULIÁN OLIVARES,

Plaintiff,

v.

UNIVERSITY OF CHICAGO ET AL.,

Defendants.

**DECLARATION OF JOSEPH C. GRATZ
IN SUPPORT OF DEFENDANTS
UNIVERSITY OF CHICAGO,
MARGARET R. GREER, AND
ELIZABETH RHODES'S MOTION FOR
SUMMARY JUDGMENT**

I, Joseph C. Gratz, hereby declare as follows:

1. I am an attorney duly admitted to practice law in the State of California. I am an attorney at Durie Tangri LLP, attorneys for Defendants University of Chicago, Margaret R. Greer, and Elizabeth Rhodes in the above-captioned civil action. I submit this declaration in support of Defendants' Motion for Summary Judgment. I make this declaration based on personal knowledge of the facts and circumstances set forth herein.

2. Attached hereto as **Exhibit A** is a true and correct copy of the transcript of the deposition of Julian Olivares taken on July 13, 2015 herein.

3. Attached hereto as **Exhibit B** is a true and correct copy of Exhibit 14 marked at the deposition of Julian Olivares taken on July 13, 2015 herein.

4. Attached hereto as **Exhibit C** is a true and correct copy of excerpts the transcript of the deposition of David William Foster taken on February 22, 2016 herein.

5. Attached hereto as **Exhibit D** is a true and correct copy of the Curriculum Vitae of Margaret R. Greer, as retrieved on March 22, 2016 from

<http://people.duke.edu/~mgreer/cv.html> .

6. Attached hereto as **Exhibit E** is a true and correct copy of the Curriculum Vitae of Elizabeth Rhodes, marked as Exhibit 6 to her May 27, 2015 deposition herein.

7. Attached hereto as **Exhibit F** is a true and correct copy of excerpts from *Exemplary Tales of Love and Tales of Disillusion* edited and translated by Margaret R. Greer and Elizabeth Rhodes.

8. Attached hereto as **Exhibit G** is a true and correct copy of Exhibit 1 marked at the deposition of Julian Olivares taken on July 13, 2015 herein.

9. Attached hereto as **Exhibit H** is a true and correct copy of Exhibit 2 marked at the deposition of Julian Olivares taken on July 13, 2015 herein.

10. Attached hereto as **Exhibit I** is a true and correct copy of Exhibit 12 marked at the deposition of Julian Olivares taken on July 13, 2015 herein.

11. Attached hereto as **Exhibit J** is a true and correct copy of Exhibit 13 marked at the deposition of Julian Olivares taken on July 13, 2015 herein.

12. Attached hereto as **Exhibit K** is a true and correct copy of the Certificate of Registration issued by the United States Copyright Office for the 2000 edition of *Novelas amorosas y ejemplares*.

13. Attached hereto as **Exhibit L** is a true and correct certified copy of communications from the correspondence file of the United States Copyright Office pertaining to the registration of *Novelas amorosas y ejemplares*.

14. Attached hereto as **Exhibit M** is a true and correct copy of excerpts from the transcript of the deposition of Elizabeth Rhodes taken on May 27, 2015 herein.

15. Attached hereto as **Exhibit N** is a true and correct copy of Amazon pages for *Novelas amorosas y ejemplares* and *Exemplary Tales of Love and Tales of Disillusion* as of

March 25, 2016, retrieved from <http://www.amazon.com/Novelas-Amorosas-Ejemplares-Maria-Sotomayor/dp/8437618258/> and <http://www.amazon.com/Exemplary-Tales-Disillusion-Modern-Europe/dp/0226768651/> .

16. Attached hereto as **Exhibit O** is a true and correct copy of Exhibit 32 marked at the deposition of Julian Olivares taken on July 13, 2015 herein.

17. Attached hereto as **Exhibit P** is a true and correct copy of the Report of Christopher Maurer in this matter, served on July 23, 2015.

18. Attached hereto as **Exhibit Q** is a true and correct copy of Exhibit 16 marked at the deposition of Julian Olivares taken on July 13, 2015 herein.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on this 25th day of March, 2016, at San Francisco, California.

/s/ Joseph C. Gratz
JOSEPH C. GRATZ

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of March, 2016, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Joseph C. Gratz

JOSEPH C. GRATZ